

AMENDED IN ASSEMBLY JUNE 21, 2006

AMENDED IN ASSEMBLY MAY 4, 2006

AMENDED IN ASSEMBLY FEBRUARY 21, 2006

AMENDED IN SENATE MAY 5, 2005

AMENDED IN SENATE MAY 3, 2005

SENATE BILL

No. 968

Introduced by Senator Torlakson

February 22, 2005

An act to ~~amend Section 26840.9 of the Government Code, to~~ amend Section 103626 of the Health and Safety Code, and to amend Section 18308 of the Welfare and Institutions Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

SB 968, as amended, Torlakson. Domestic violence: Contra Costa County.

~~Existing law provides for county domestic violence program special funds for the purpose of funding local domestic violence programs. Certain fees payable at the time a marriage license is issued may be collected by the county clerks for deposit into these funds.~~

Existing law requires the collection of fees for certified copies of fetal death or death records and marriage or birth certificates. Existing law authorizes the board of supervisors of a county that has established a county children's trust fund to increase the fee for a certified copy of a birth certificate for purposes of the fund.

Existing law authorizes the Board of Supervisors of Contra Costa County, until January 1, 2007, to increase fees, for certified copies of

marriage certificates, birth certificates, fetal death records, and death records, up to a maximum increase of \$2, and to annually increase these fees, as prescribed, authorizes the retention of specified administrative costs, and specifies that the purpose of the fee increase is to provide funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.

This bill would delete the repeal date of that authorization, *and would, in addition to the existing authorization for annual increases, authorize the Board of Supervisors of Contra Costa County to increase these fees by up to \$4.*

This bill would make specified legislative findings regarding the need for special legislation.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Domestic violence is costly, both in human and
- 4 organizational terms. The results of domestic violence have many
- 5 “hidden” costs, such as job turnover, loss of productivity, school
- 6 absenteeism, and low-school performance, in addition to the high
- 7 cost of law enforcement, civil and criminal justice, health
- 8 services, mental health services, substance abuse treatment,
- 9 human services, and community-based services.
- 10 (b) Domestic violence cuts across all economic and education
- 11 levels, all age groups, ethnicities, and other social and
- 12 community characteristics. Domestic violence is characterized by
- 13 a predictable, escalating cycle that can result in injury or death of
- 14 victims, including children. Domestic violence puts children at
- 15 risk.
- 16 (c) Domestic violence is learned and generational, and
- 17 requires a multifaceted intervention that engages civil, criminal,
- 18 health, and social service sectors working together to align
- 19 objectives, protocols, policies, and activities of each sector.
- 20 (d) Contra Costa County determined that achievement of this
- 21 alignment requires governmental oversight and coordination of
- 22 the multiple agencies involved in the domestic violence system.

1 This oversight and coordination is an essential link in a
2 comprehensive effort to eliminate domestic violence.

3 (e) During the past four years, Contra Costa County has
4 created a successful domestic violence program. Contra Costa
5 County has established a coordinated data system, set up a
6 training program involving law enforcement, courts, health and
7 social service agencies, established restraining order clinics and
8 other victim support services and increased accountability
9 measures against perpetrators of domestic violence.

10 (f) Contra Costa County's Domestic Violence Program
11 successfully competed for federal funds and other grants which
12 have increased its ability to serve victims and prosecute
13 offenders.

14 (g) Contra Costa County is piloting numerous new domestic
15 violence prevention strategies, including creating an innovative
16 continuum of services for children exposed to domestic violence
17 and establishing primary prevention strategies focused on
18 engaging men in mentoring boys to end the cycle of abuse for
19 future generations.

20 (h) Contra Costa County has demonstrated critically needed
21 leadership through its Systemic Approach Model to addressing
22 domestic violence by integrating victim services across multiple
23 disciplines and by advancing public-private partnerships to
24 institutionalize coordination. Moreover, through its effective
25 centralized collaborative approach, Contra Costa County is
26 addressing system issues critical to California as contained in the
27 California Attorney General's Domestic Violence Report
28 "Keeping the Promise, Victim Safety and Batterer
29 Accountability," issued in June of 2005.

30 (i) The reauthorization of the fees specified in Section 26840.9
31 of the Government Code is essential for Contra Costa County to
32 continue its efforts to create an effective, proven, replicable
33 model that combats domestic violence, and to draw down federal
34 and private funds to support development of a system that will be
35 valuable throughout California.

36 ~~SEC. 2. Section 26840.9 of the Government Code is amended~~
37 ~~to read:~~

38 ~~26840.9. (a) The Contra Costa County Board of Supervisors,~~
39 ~~upon making findings and declarations for the need for~~
40 ~~governmental oversight and coordination of the multiple agencies~~

1 dealing with domestic violence, may authorize an increase in the
2 fees for marriage licenses and confidential marriage licenses, up
3 to a maximum increase of two dollars (\$2).

4 (b) Effective July 1 of each year, the Contra Costa County
5 Board of Supervisors may authorize an increase in these fees by
6 an amount equal to the increase in the Consumer Price Index for
7 the San Francisco metropolitan area for the preceding calendar
8 year, rounded to the nearest half-dollar. The fees shall be
9 allocated pursuant to Section 18308 of the Welfare and
10 Institutions Code.

11 (c) In addition to the fee prescribed by Section 26840.1, in
12 Contra Costa County, the person issuing authorization for the
13 performance of a marriage or confidential marriage, or the
14 county clerk upon providing a blank authorization form pursuant
15 to Part 4 (commencing with Section 500) of Division 3 of the
16 Family Code, shall collect the fees specified in subdivisions (a)
17 and (b) of this section, at the time of providing the authorization.

18 (d) The Contra Costa County Board of Supervisors shall
19 submit to the Assembly Judiciary Committee and the Senate
20 Judiciary Committee, no later than July 1, 2006, a report
21 containing the following information:

22 (1) The annual amounts of funds received and expended from
23 fee increases for the purpose of governmental oversight and
24 coordination of domestic violence prevention, intervention, and
25 prosecution efforts in the county.

26 (2) Outcomes achieved as a result of the activities associated
27 with the Zero Tolerance for Domestic Violence Act.

28 SEC. 3.

29 SEC. 2. Section 103626 of the Health and Safety Code is
30 amended to read:

31 103626. (a) The Contra Costa County Board of Supervisors,
32 upon making findings and declarations supporting the need for
33 governmental oversight and coordination of the multiple agencies
34 dealing with domestic violence, may authorize an increase in the
35 fees for certified copies of marriage certificates, birth certificates,
36 fetal death records, and death records, up to a maximum increase
37 of ~~two dollars (\$2)~~ *four dollars (\$4)*.

38 (b) Effective July 1 of each year, the Contra Costa County
39 Board of Supervisors may authorize an increase in these fees by
40 an amount equal to the increase in the Consumer Price Index for

1 the San Francisco metropolitan area for the preceding calendar
2 year, rounded to the nearest half-dollar. The fees shall be
3 disposed of pursuant to the provisions of Section 18308 of the
4 Welfare and Institutions Code.

5 (c) In addition to the fees prescribed by subdivisions (a) and
6 (b) of this section, any applicant for a certified copy of a birth
7 certificate, a fetal death record, or death record in Contra Costa
8 County shall pay an additional fee to the local registrar, county
9 recorder, or county clerk as established by the Contra Costa
10 County Board of Supervisors.

11 ~~SEC. 4.~~

12 *SEC. 3.* Section 18308 of the Welfare and Institutions Code is
13 amended to read:

14 18308. The Contra Costa County Board of Supervisors shall
15 direct the local registrar, county recorder, and county clerk to
16 deposit fees collected pursuant to ~~Section 26840.9 of the~~
17 ~~Government Code~~ and Section 103626 of the Health and Safety
18 Code into a special fund. The county may retain up to 4 percent
19 of the fund for administrative costs associated with the collection
20 and segregation of the additional fees and the deposit of these
21 fees into the special fund. Proceeds from the fund shall be used
22 for governmental oversight and coordination of domestic
23 violence and family violence prevention, intervention, and
24 prosecution efforts among the court system, the district attorney's
25 office, the public defender's office, law enforcement, the
26 probation department, mental health, substance abuse, child
27 welfare services, adult protective services, and community-based
28 organizations and other agencies working in Contra Costa
29 County in order to increase the effectiveness of prevention, early
30 intervention and prosecution of domestic and family violence.

31 ~~SEC. 5.~~

32 *SEC. 4.* Due to the unique circumstances of the County of
33 Contra Costa with respect to domestic violence, the Legislature
34 hereby finds and declares that a general statute cannot be made
35 applicable within the meaning of Section 16 of Article IV of the
36 California Constitution.

1 Therefore, the special legislation contained in Sections 2 to 4,
2 ~~inclusive~~, *and* 3 of this act is necessarily applicable only in the
3 County of Contra Costa.

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